

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

IN RE:) CHAPTER 7
) CASE NO. 23-00484
BDC Group, Inc.)
) NOTICE OF AND MOTION FOR
) COMPROMISE OR SETTLEMENT
Debtor(s).) OF CONTROVERSY WITH
) MARVAIR

The undersigned Trustee has entered into a compromise or settlement of controversy and moves the court to approve the following:

The case trustee has identified \$40,763.13 in payments made by the Debtor to Marvair that may constitute preferential payments within ninety (90) days pre-petition within the meaning of 11 U.S.C. § 547. Marvair asserts legal defenses found at § 547 (c).

After discussions, the parties have agreed to settle the legal dispute for \$20,382 to be paid upon entry of a Court Order approving this settlement. The settlement funds will be held pending disposition of the pending appeal in the Federal District Court, NDIA. Additionally, the trustee agrees that Marvair may have an allowed General Unsecured Claim in the amount of \$20,382, and a second allowed claim in the amount of \$9,870 for goods delivered during the pendency of the Chapter 11 proceedings. The bankruptcy estate will have no further claims against Marvair in this case.

In light of the uncertainty of litigation, the pending appeal in this case, the looming deadline for bringing avoidance actions, the legal issues involved, and the additional time and expenses involved in prosecuting these possibly preferential payments, the Trustee submits that a 50% recovery as proposed herein is fair and reasonable.

NOTICE IS HEREBY GIVEN that objections must be served on the undersigned trustee, the United States Trustee, 111 7th Avenue SE Box 17, Cedar Rapids, Iowa 52401, debtor(s), debtor(s) counsel and filed with the Clerk of Bankruptcy Court at 111 7th Avenue SE Box 15, Cedar Rapids, Iowa 52401 on or before 4:30 p.m., April 21, 2025.

NOTICE IS FURTHER GIVEN that timely filed objections will be set for hearing by separate notice. If no objections are filed, a separate order will enter.

I hereby certify that on this date a copy of this Notice and Motion was served on the U.S. Trustee, debtor(s), debtor(s) counsel, and all creditors or other parties-in-interest who have filed a request for notice pursuant to Local Bankruptcy Rule 2002-1(b).

DATED: March 31, 2025.

_____/s/ Renee K. Hanrahan_____
Renee K. Hanrahan, Chapter 7 Trustee
P.O. Box 1088
Cedar Rapids, IA 52406-1088
319.533.7358
rhanrahan@sharontc.net

NOTE: Service List Must Be Attached
Clerk's Mailing Matrix attached